

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 233
CASE NO. 78-8
SEPTEMBER 14, 1978

Pursuant to notice, a public hearing was held by the District of Columbia Zoning Commission on May 25, 1978, to consider an application by Mary C. Barnes, for an amendment to the Zoning Map of the District of Columbia.

FINDINGS OF FACT

1. The proposed map change is from R-1-B to R-5-A for parcels no. 87/436, 87/437, 87/439, 87/441 and 87/444 in Square 2723, located at and bounded by Manchester Lane, 14th, and Nicholson Streets, N.W., comprising approximately 14,600 square feet.
2. The R-1-B District permits one family detached dwellings, with a minimum lot area of 5,000 square feet. The R-5-A District permits detached, semi-detached and row dwellings, and garden apartments, which require site plan review, with a floor area ratio of 0.9 and a three story 40 foot height limit.
3. The subject site is triangular in shape, with the longest frontage on Manchester Lane and a total land area of 14,597 square feet. It is approximately level and vacant with the exception of one older detached house on parcel 87/437.
4. The subject site is along the boundary between a large area zoned R-5-A generally to the east on 14th Street and a large area zoned R-1-B generally west of that Street. The R-1-B area is developed primarily with detached and some semi-detached houses. The R-5-A area has mixed housing development, principally medium density apartment buildings with areas of detached housing as well. Immediately to the south, west and east of the subject property, existing development is single family housing. To the north and northwest, across Nicholson Street on the west side of 14th Street development is predominately small apartment buildings, mostly three stories in height.

5. Under the existing R-1-B zoning, the most likely potential development is two detached houses, with three possible if a variance is obtained from the Board of Zoning Adjustment. Such dwellings would likely have three or four bedrooms. They would normally accommodate upper income families or individuals sharing quarters. This development pattern would reinforce the single family character of the western portion of the neighborhood. Three units on the site would be a density of nine units per acre, typical of the single-family area west of the site.
6. Under the requested R-5-A zone district, maximum development would be 13,137 square feet of floor area. This would typically yield about thirteen apartment units, but could be a few more if developed as small apartment units, or a density of about forty to fifty units per acre. The population served would be individuals and small families. Prices or rents of the units would likely be in the middle to upper middle income range. Rowhouses could also be developed at a density of 1800 square feet per unit or a maximum of eight units for the site.
7. The applicant originally proposed that nine dwelling unit could be build on the site in the form of three groups of three units each. The groups of three would be on single lots and in one building, and would be considered apartments under the Zoning Regulations. The lowest density district in which such a use is permitted in R-5-A. The applicant motified that original proposal to reduce the number of units to six. Such units would be rowhouses, and as proposed, thus would meet the use area and bulk requirement of the R-3 District.
8. The triangular nature of the site, the existence of apartments across the street and the cost of constructing single family detached housing continue to make it difficult to develop the site under the existing R-1-B zoning.
9. Rezoning of the site to the R-2 District would permit the development of four single family semi-detached dwellings on the site. The Commission finds that such a development would alleviate those difficultes which might exist as a result of the topography of the site, eliminate problems which might arrise from the higher density possible under the R-5-A District, respond favorably to public sentiment in the area over increased density, provide the applicant with a reasonable return on her investment, and reserve the site for single family use consistant with the neighborhood to the west.
10. Development of the site with four semi-detached dwellings under R-2 zoning would also serve to provide a transition between the existing detached single family neighborhood and the apartment use district in the area, as well as allow for reasonable use of the site.

11. The Municipal Planning Office, by Memorandum dated May 22, 1978, and by testimony presented at the public hearing, reported that the compatibility of new development on the subject site with existing housing in the area must be assured. The MPO recommended that no more than six dwelling units be allowed on the site, to keep the density of development in line with the surrounding single family area. The MPO reported, and the Commission finds, that R-5-A zoning would potentially permit a greater level of development, subject to review by the Board Zoning Adjustment. The MPO recommended that R-3 zoning would be appropriate for the site, to restrict the number of dwellings unit to six.
12. The Department of Environmental Services via report of the Municipal Planning Office dated May 22, 1978, stated that there is sufficient water line capacity to service the site. However, the Piney Branch combined sewer system has had some problems with service capacity and drainage. Depending upon the final site plans and elevations, back water valves may be required in the sewers. The Department also recommended that the increase in density sought through this zoning change be made conditional upon the development of a stormwater retention system within the site. Both concerns of the Department can be thus dealt with through the building permit process. The Department indicates that the development would have a negligible impact on ambient air quality and noise levels.
13. The Fire Department via report of the Municipal Planning Office dated May 22, 1978, stated that, if the application is approved, they must review the site plan as to the fire lanes that may be required by recent legislation.
14. The Board of Education via report of the Municipal Planning Office dated May 22, 1978, indicated that there is no school capacity problem at the Junior and Senior High School level. At the elementary school level, Brightwood Elementary School is over capacity by 119 seats, but demountable buildings on the school grounds more than compensate for the deficiency. The new West Elementary school at 14th and Farragut Streets, N.W., will also absorb some pupils from the subject area. In view of the small size of the proposed development, the Board raised no objections to the rezoning.
15. The Department of Transportation via report of the Municipal Planning Office dated May 22, 1978 indicated that the proposed nine dwellings and parking spaces would have no adverse effect on traffic circulation. However, with new development, the Department would require curbs and gutters to be constructed on the north side of Manchester Lane.

16. Advisory Neighborhood Commission 4A by letter dated March 8, 1978 and by testimony at the hearing stated that at its regularly scheduled meeting held on February 27, 1978 ANC-4A voted to oppose the proposed zoning change, from the reason to be stated by the citizens in opposition.
17. Several citizen groups and individuals appeared at the public hearing and voiced concern over preserving the present character of the subject neighborhood. The Commission finds that this objective will be met through the rezoning to R-2.
18. As to the issue and concerns of the Advisory Neighborhood Commission, the Commission finds that the R-5-A zoning as proposed is not appropriate for the site, because of the density it allows. The Commission further find, for the reasons stated herein, that the continuation of the R-1-B zoning for the site is also not appropriate. The Commission finds that R-2 zoning would allow for a reasonable use of the property, and would be consistent with the present use and density of the neighborhood, meeting the concerns of the ANC.
19. The application was referred to the National Capital Planning Commission, under the terms of the District of Columbia Self-Government and Governmental Reorganization Act and the National Capital Planning Commission reported that the proposed amendment would not have a negative impact on the interests or functions of the Federal Establishment within the National Capital and is not inconsistent with the Comprehensive Plan for the National Capital.

CONCLUSIONS OF LAW

1. Rezoning to R-2 is in accordance with the Zoning Act (Act of June 20, 1938, 52 stat. 797), by furthering the general public welfare and serving to stabilize and improve the area. Rezoning to R-5-A would not further those purposes.
2. Rezoning to R-2 will promote orderly development in conformity with the entirety of the District of Columbia Zoning Plan as embodied in the Zoning Regulations and Map of the District of Columbia.
3. Rezoning to R-2 will not have an adverse impact on the surrounding residential neighborhood, and will provide a buffer between the existing R-5-A and R-1-B Zones.
4. The Commission takes note of the position of the Advisory

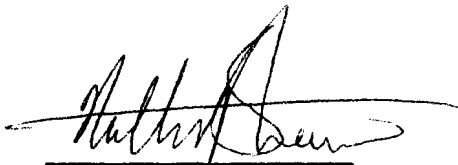
Neighborhood Commission, and in its decision, has accorded to the ANC the "great weight" to which it is entitled.

DECISION

In consideration of the Findings and Conclusions herein, the Commission therefore hereby Orders the following action:

Change from R-1-B to R-2 parcels no. 87/436, 87/437, 87/439, 87/441, and 87/444 in square 2723, located at and bounded by Manchester Lane, 14th, and Nicholson Streets, N.W., comprising approximately 14,600 square feet.

Vote of the Commission taken at the public meeting of August 10, 1978: 3-0 (Walter B. Lewis, George M. White and Theodore F. Mariani to approve - Ruby B. McZier and John G. Parsons not present not voting).



WALTER B. LEWIS
Chairman



STEVEN E. SHER
Executive Director

This order was adopted by the Zoning Commission at its public meeting held on September 14, 1978 by a vote of 3-0 (John G. Parsons, Theodore F. Mariani and Walter B. Lewis to adopt, Ruby B. McZier and George M. White not present, not voting)

In Accordance with Section 2.61 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, the amendment to the Zoning Map is effective on

18 SEP 1978